

WORKPLACE REVIEW

Volume 4, Number 1

Autumn 2013

EDITORIAL	3
FOCUS ON: WESTERN AUSTRALIA	
From a scream to a whisper: Legislative change to industrial relations in Western Australia – <i>Duncan Fletcher</i>	5
ARTICLES	
Workplace bullying laws: Saviour or scourge? – <i>Shane Wescott and Neil Napper</i>	
Workplace bullying costs employers billions of dollars each year, and yet the reporting of incidents is low and the laws applying to bullying claims are broad and complex. This article reviews the key recommendations arising from a federal inquiry into workplace bullying, which sought to address the complexities in identifying, dealing with and seeking remedies to address workplace bullying.	7
“White line fever” in the courtroom – <i>Jeffrey Phillips SC</i>	
Stepping foot into a courtroom at times is like stepping onto a playing field: the lines are drawn and the players ready to battle. Overbearing conduct and bullying by judges and lawyers can make the courtroom an unsafe working environment.	13
Bullying in the courtroom – <i>Justice Glenn Martin</i>	
When rudeness turns into bullying by judges, lawyers and barristers leave courtrooms bruised and battered but may be reluctant to speak out against this behaviour. The creation of a body to review this type of behaviour as in the United Kingdom may help address this issue.	16
The effect of courtroom behaviour on the wellbeing of lawyers new to practice – <i>Tony Foley</i>	
New lawyers are often anxious about going to court, finding the experience, particularly at the hands of overbearing judges, at times distressing and taxing. This article discusses some research into this area and provides strategies to overcome the effects of overbearing conduct in the courtroom.	19
INTERVIEW	
Economism, collectivism and a failing union movement: Dr Jim Macken heats the debate on workplace rights – <i>by Azadeh Khalilizadeh</i>	23
OPINION	
Now who’s the progressive? – <i>David Elliott</i>	26

WORK HEALTH AND SAFETY

Due diligence: Lessons from Pike River for officers in Australia – *Michael Tooma and Matthew Orr* 28

VALES

Gregory James Tulk Hart – *Peter Wertheim* 34

Michael O’Sullivan – *Keith Harvey* 36

THE LAST WORD 38

DIARY 41

INDEX 42